

SENATE BILL 2304

By Haynes

AN ACT to amend Tennessee Code Annotated, Title 68, relative to environmental protection.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-211-105, is amended by deleting subsections (a) through (e), inclusive, and by substituting instead the following:

(a) The department shall exercise general supervision over the construction of solid waste processing facilities and disposal facilities or sites throughout the state. Such general supervision shall apply to all features of construction of solid waste processing facilities and disposal facilities or sites which do or may affect the public health and safety or the quality of the environment, and which do or may affect the proper processing or disposal of solid wastes. Notwithstanding the provisions of any law to the contrary, as used in this section, "solid waste processing facilities" shall include mulch production and processing facilities.

(b) No new construction shall be initiated nor shall any change be made in any solid waste processing facility or disposal facility or site until the plans for such new construction or change have been submitted to and approved by the department. Records of construction or plans for existing facilities or sites shall be made available to

the department upon request of the commissioner. In granting approval of such plans, the department may specify such modifications, conditions, and regulations as may be required to fulfill the purposes of this part.

(c) The board is empowered to adopt and enforce rules and regulations for the construction of new facilities and sites and the alteration of existing facilities and sites.

(d) The commissioner is authorized to investigate solid waste processing facilities and disposal facilities or sites throughout the state as often as the commissioner deems necessary.

(e) When the commissioner disapproves plans for the construction of, or change in, any solid waste processing facility or disposal facility or site, the commissioner shall notify in writing the person having submitted such plans, and state the grounds for the commissioner's disapproval.

SECTION 2. This act shall take effect July 1, 2000, the public welfare requiring it.